

LB2529

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1871

Louisiana. laws, statutes, etc.

AN ACT

ENTITLED

AN ACT TO AMEND AN ACT ENTITLED

An Act to Regulate Public Education

IN THE

STATE OF LOUISIANA AND CITY OF NEW ORLEANS,

AND TO

RAISE A REVENUE FOR THAT PURPOSE

Approved March 16, 1871.

NEW ORLEANS:

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AN ACT

Entitled An Act to amend an act entitled An Act to regulate public education in the State of Louisiana and city of New Orleans, and to raise a revenue for that purpose, approved March 16, 1870.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened,* That the State Board of Education shall, immediately upon the passage of this act, appoint a Board of School Directors, consisting of at least five members for each parish of this State, excepting the parish of Orleans, to be composed, when practicable, of persons residing in different parts of the parish, who shall hold their office two years from April first, eighteen hundred and seventy-one, or until their successors shall be duly appointed and qualified. And said Parish Boards shall perform all the duties, possess all the rights and privileges, and assume all the obligations of the Ward Boards of School Directors and the School Boards of all cities and towns in the State having a population of less than one thousand persons.

The Treasurer of said Parish Board shall perform the duties of Secretary, and be entitled to such compensation as the Parish Board may allow out of local or parish school funds, the same not to exceed one hundred dollars per year.

The Parish Board shall hold their regular meetings on the first Monday in January, April, July and October of each year; they shall convene, at their first regular meeting, on the call of any two of the appointed members or of the Division Superintendent, and no such meeting shall be held to be legal unless every member has been duly notified thereof. Special meetings may be held in the same manner. They shall, at their first meeting, organize by electing from their own number a President and a Treasurer, who shall be Secretary of the Board; they shall perform all the duties now required of officers and not inconsistent with the provisions of this act. The Treasurer of the city, town and Parish Boards shall give bonds in an amount not less than five thousand dollars, the same to

be approved by the parish or district judge and the recorder of the parish, and be recorded. Said bonds may, from time to time, be increased by order of the Board, or of the district judge, or of the State Superintendent of Public Education, in proportion to the amount of school funds on hand. The Board shall, from time to time, examine the Treasurer's accounts and settle them.

SEC. 2. *Be it further enacted, etc.,* That the State Board of Education shall immediately appoint a Board of School Directors for each incorporated town and city of the State (excepting the city of New Orleans) having one thousand or more inhabitants; such Boards to number not less than three nor more than five members, who shall hold their office in the manner prescribed by the Parish Boards. They shall elect a President and Treasurer, who shall be Secretary of the Board, and receive out of the local school fund a salary of not more than one hundred dollars per year. They shall perform such duties as are now required of those officers, and not inconsistent with this act. All incorporated towns and cities having less than one thousand inhabitants shall be provided for by the respective Parish Boards.

SEC. 3. *Be it further enacted, etc.,* That the corporate authorities of the respective parishes, towns and cities for which Boards shall be appointed (excepting the city of New Orleans) shall once in each year place upon their annual budget an amount of tax not to exceed two mills on the dollar, nor less than one mill, the same to be levied on the taxable property of the parishes, towns and cities aforesaid; and to be collected at the same time and in the same manner as other taxes, and paid over to the Treasurers of said Parish, Town or City Boards of School Directors, to be used exclusively for the lease, purchase, building and furnishing of schoolhouses, or for land therefor, and for such other expenses as may be approved by the Division Superintendent.

SEC. 4. *Be it further enacted, etc.,* That the Parish Board of School Directors shall receive from the hands of Parish and Ward Boards, and of towns and cities having less than one thousand inhabitants, now organized, all funds and school records in their possession, and such funds shall be applied by the Parish Boards exclusively to the benefit of the said wards, towns or cities, and when the electors have voted a tax for school purposes, the Parish

Boards shall receive and apply the proceeds to the exclusive benefit of the wards so voting, and of the said towns or cities. And all Town and City Boards now organized shall likewise turn over such school funds and records to their successors appointed under this act. The new Board shall assume all obligations of previous Boards superseded by them.

SEC. 5. *Be it further enacted, etc.,* That in any parish, city or town where a Board of School Directors fail to establish schools within sixty days after their appointment, or to perform such other duties as are required of them by law, the Division Superintendent for the division in which such delinquent Boards are located may establish schools, and perform as far as possible such other neglected duties, and warrant on the State Treasurer and the Treasurers of such Boards for the school funds of such parishes, cities and towns, and apply the same for the purposes and in the manner provided by law, each warrant to be approved by the President of the State Board of Education. The Division Superintendent shall act in such cases only until a local Board can be found to perform the duties.

SEC. 6. *Be it further enacted, etc.,* That the State Board of Education shall immediately, on the passage of this act, appoint a Board of School Directors for the city of New Orleans, composed of one member from each Representative District of the city. They shall be divided into three classes, and shall hold office for three years, except that in the case of the Board first appointed one-third shall go out in one year, one-third in two years, and the remainder at the expiration of three years. The State Board of Education to appoint three members each year after the appointment of the first Board, and to fill all vacancies occurring. The Board so appointed shall have control of the public schools in the city, and shall be a body corporate and politic. Said Board shall employ a Secretary at a salary of two thousand (\$2000) dollars per year, payable on the warrant of the President out of such funds as come into the hands of the Board.

SEC. 7. *Be it further enacted, etc.,* That the Board of School Directors for the city of New Orleans shall, immediately upon their organization, and also at the commencement of each year thereafter, ascertain the amount of funds necessary to carry on the schools under their charge for the current year, and report the same to the

Board of Administrators of the city of New Orleans, who shall, at such time as they may deem necessary, levy the amount on the taxable property of the city, and direct the same to be collected in the manner and at the time by them deemed most desirable, but the time shall not exceed six months from the date of their notification of the amount required.

SEC. 8. *Be it further enacted, etc.,* That the Administrator of Finance of the city of New Orleans shall perform the duties of Treasurer of the Board of School Directors for the city of New Orleans as a part of his official duties, and shall receive all moneys collected for or appropriated to the parish of Orleans for school purposes; shall daily deposit the same in the Fiscal Agency of the city, and only pay them out by checks, on the order of said Board of School Directors; and he shall be, ex officio, a member of the Board.

SEC. 9. *Be it further enacted, etc.,* That the Division Superintendent of the Sixth Division shall have a salary of four thousand (\$4000) dollars per annum: He shall be allowed a secretary and one or more messengers, at an expense of not more than twenty-five hundred (\$2500) dollars per year, payable monthly, out of the public school fund, on the warrant of the Division Superintendent of said Sixth Division. The Division Superintendents shall draw their salaries monthly and the State Superintendent quarterly, out of the public school fund, upon their own warrants, and the Division Superintendent shall be allowed an annual contingent fund of six hundred (\$600) dollars from the date of their appointments, payable in the same manner.

SEC. 10. *Be it further enacted, etc.,* That the State Superintendent of Public Education shall, quarterly, on the first Monday in March, June, September and December in each year, apportion the funds raised among the several wards, cities and towns of the State, according to the number of children between the ages of six and twenty-one years within the same. The amount so apportioned shall be paid by the State Treasurer to the Treasurers of the respective Parish, City and Town Boards of School Directors, upon warrants signed by the President and countersigned by the Secretary thereof.

SEC. 11. *Be it further enacted, etc.,* That all acts and parts of acts in conflict with this act are hereby repealed, and that this act shall take effect from and after its passage.

(Signed)

GEO. W. CARTER,

Speaker of the House of Representatives.

(Signed)

OSCAR J. DUNN,

Lieutenant Governor and President of the Senate.

Approved March 16, 1871.

(Signed)

H. C. WARMOTH,

Governor of the State of Louisiana.

A true copy :

GEO. E. BOVEE,

Secretary of State.



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